

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29916 of 2019**

Arising Out of PS. Case No.-244 Year-2018 Thana- DHURAIYA District- Banka

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MAHESH KUMAR SINGH @ MAHESH PRASAD SINGH Son of Late
Kedar Singh Resident of Village- Kusmi, P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 03-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Dhoraiya P.S.

Case No.244/2018 registered for the offence under Sections
409/420 of the Indian Penal Code.

The prosecution case is that the petitioner was the

then headmaster of a middle school, was entrusted to construct

classrooms for which he had withdrawn the amount but he did

not finish the work as stipulated.

Learned counsel for the petitioner submits that

petitioner has already deposited Rs. 3,00,000/- in two

installments on 14.11.2019 and on 18.11.2019 in the account of

Bihar Education Project, Banka out of Rs. 5,34,717/-. It is

further submitted that the rest of the amount shall be deposited

within a period of 3 months. It is further submitted that on



07.01.2020 petitioner submitted an application before D.P.O. (Establishment), Banka for adjustment of 1,47,963/- from the subsistence allowance which is to be paid to the petitioner (Annexure 5) . Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on provisional bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M 1st Class, Banka in connection with Dhoraiya P.S. Case No.244/2018, subject to the conditions after deposition of the rest of the amount by the petitioner, the provisional bail of the petitioner shall be confirmed by the Court below. Failing which, the Court will be liberty to cancel the bail of the petitioner.

(Prabhat Kumar Singh, J)

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